

LAP12 Rec'd PCT/PTO 22 MAY 2007



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application

Confirmation No.

Inventors: Didier Cataldo, et. al.

Art Unit:

Application No. 10/594,101, filed September 25, 2006

Examiner:

For: USE OF A TRIOXOPYRIMIDINE FOR THE TREATMENT AND PREVENTION OF
BRONCHIAL INFLAMMATORY DISEASE

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Nutley, New Jersey 07110
May 18, 2007

Mail Stop: Missing Part
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

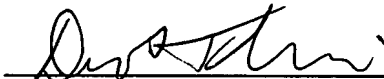
In response to the Notice of Missing Parts of Application, applicants enclose an original Declaration executed by Hans-Willi Krell, which was inadvertently omitted from the application filed on September 25, 2006. An additional Declaration, executed by Didier Cataldo, Luc Delattre, Brigitte Evrard and Jean-Michel Foidart was submitted on September 25, 2006.

The submission of the executed Declaration completes the formal requirements for filing the captioned application. Please make the foregoing of record.

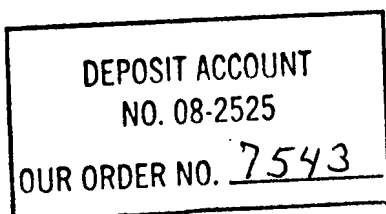
Appl. No. 10/594,101
Filed: September 25, 2006

The payment of a surcharge of \$130.00 is to be charged to Deposit Account No. 08-2525. Any underpayment or overpayment should be charged or credited to Deposit Account No. 08-2525.

Respectfully submitted,


Attorney for Applicant(s)
Dennis P. Tramaloni
(Reg. No. 28,542)
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Nutley, New Jersey 07110
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U.S. APPLICATION NUMBER NO. 10/594,101	FIRST NAMED APPLICANT Didier Cataldo	ATTY. DOCKET NO. 22394
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INTERNATIONAL APPLICATION NO.

PCT/EP05/03345

I.A. FILING DATE	PRIORITY DATE
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03/31/2005

04/01/2004

151

HOFFMANN-LA ROCHE INC.
PATENT LAW DEPARTMENT
340 KINGSLAND STREET
NUTLEY, NJ 07110

Declaration

RESPONSE DUE: June 18, 2007

CONFIRMATION NO. 7348

371 FORMALITIES LETTER



OC000000023435361

(3 mths)

STATUTORY

PERIOD EXPIRES: Sept. 18, 2007

Date Mailed: 04/18/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/25/2006
- Copy of the International Search Report filed on 09/25/2006
- Preliminary Amendments filed on 09/25/2006
- Information Disclosure Statements filed on 02/07/2007
- Oath or Declaration filed on 09/25/2006
- Request for Immediate Examination filed on 09/25/2006
- U.S. Basic National Fees filed on 09/25/2006
- Priority Documents filed on 09/25/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

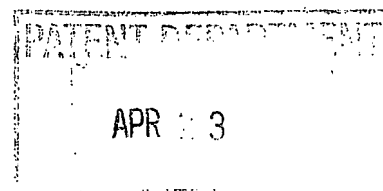
SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

Copy Sent to

Department PLP

Perzyberz



- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

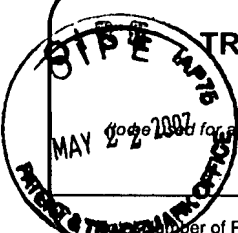
VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

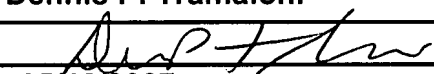
PART 1 - ATTORNEY/APPLICANT COPY

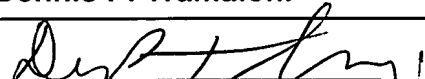
U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/594,101	PCT/EP05/03345	22394

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

	TRANSMITTAL FORM	
	Application Number	10/594,101
	Filing Date	September 25, 2006
	First Named Inventor	Cataldo
	Art Unit	
	Examiner Name	
Number of Pages in This Submission	Attorney Docket Number	22394

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <div style="text-align: center;">Executed Declaration</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Dennis P. Tramaloni
Signature	
Date	05/18/2007

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Dennis P. Tramaloni	
Signature		Date 05/18/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.